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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/700,126

11/03/2003

Michael A. Lassner

200311849-1

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7590

10/13/2006

HEWLETT PACKARD COMPANY
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INTELLECTUAL PROPERTY ADMINISTRATION
FORT COLLINS, CO 80527-2400

EXAMINER

HASSAN, AURANGZEB

ART UNIT

PAPER NUMBER

2182

DATE MAILED: 10/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action Before the Filing of an Appeal Brief	Application No. 10/700,126	Applicant(s) LASSNER, MICHAEL A.	
	Examiner Aurangzeb Hassan	Art Unit 2182	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 25 September 2006 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☐ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.
b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
The status of the claim(s) is (or will be) as follows:
Claim(s) allowed: _____
Claim(s) objected to: 6, 15 and 18.
Claim(s) rejected: 1, 3-5, 7-10, 12, 15, 17-19 and 24-28.
Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See Continuation Sheet.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). _____
13. ☐ Other: _____.

KIM HUYNH
SUPERVISORY PATENT EXAMINER

10/10/06

Continuation of 11. does NOT place the application in condition for allowance because: The Examiner has read the applicant's remarks but does not consider them persuasive for claims 1, 3-5, 7-10, 12, 15, 17-19 and 24-28. The applicant argues that the motivation to combine references was purely out of hindsight. Further the applicant makes presumptions of the user not being an administrator rather an individual user and would not need to know location information. The applicant further mentions neither references being concerned with setting geographical region for a device to ensure only certain components to be used. Walker not teaching storing information on the printer, a locking feature, and a page count. Furthermore accessing a database on the user computer and teachings of a driver. The applicant lastly argues the validity of the rejection for claim 10, 12, 15 - 19, 24 - 28 as related to the rejection of claims 1 - 9.

Arguments against claims 6, 15 and 18 are persuasive and therefore the rejections are withdrawn. Claims 6, 15 and 18 are objected to and would be allowed if written into the independent claims.

As for the hindsight argument to combine, please note that the motivation is supported by Maehara (paragraph 9) as indicated in the rejection.

Walker's complete concern is reporting a problem of an ink shortage and supplying location oriented reseller information as a convenience to the user. The applicant presumes a printer can only be connected to a single user whereas it is known in the art that a printer may in fact be networked. The applicant addresses the current rejection from the perspective of Walker alone when the original action was a combination of Walker and Maehara. The combination as addressed with Maehara teaches the concerns of the current application.

The combination of Walker and Maehara teach all functionality of regionalization and geographical methodology to address a peripheral remotely. This includes all initialization and modification to any variables associated in the process.

A peripheral or I/O device in order to be operated in conjunction with a user interface inherently requires a device driver. It is known to one of ordinary skill in the art that a driver is required to communicate with a peripheral device.